

Alaska Water Quality Standard Projects
Quarterly Status Report –July 8, 2014

1. Adoption of Antidegradation Implementation Methods (Division and CO priority)

Management Lead: Michelle/Andrew

Staff Lead: Brock/Earl

Activity:

- DEC staff are working on comment response document

Challenges:

- Addressing comments on all 65 subject areas in a timely manner

Next Steps/Schedule:

- DEC anticipates transmission of regulation package to EPA in Winter of 2015.

Decision required:

- DEC - Final revisions to draft regulations
-

2. Resolve Issues Delaying EPA Approval of Mixing Zone Guidance by EPA (Division and CO priority):

Management Lead: Sharon

Staff Lead: Brock

Activity:

- DEC is waiting for feedback from Commissioner's Office

ESA Consultation

- Per KC: "There is only one aspect of consultation remaining and that is an analysis for the Beluga whale; a request letter does not need to be sent; EPA needs to update the BE and send it to the Services..."
- EPA leadership has elevated the importance on completing the ESA consultation. Will direct Collins to begin working on this immediately (per Nancy)

Challenges:

1. Mitigation

- Agreement on proposed language and process

2. Concurrent Flow

- Agreement on proposed language and process

3. ESA Consultation

- EPA completing ESA consultation process concurrent to review of revisions of MZ regulations/guidance.

- Staying on schedule.
- Sharing early draft with EPA to check concepts prior to full management review.

Next Steps/Schedule:

- Send revised mitigation guidance to EPA (0?/?)

Decision Needed:

- DEC-internal - When to send to EPA?
 - EPA – Biological evaluation for Beluga Whale critical habitat
-

3. Monitor and Assist EPA Review of Residues Criteria (Division and CO priority)

Lead: Sharon

Staff: Brock

Activity:

- DEC met with EPA on 12/11 to discuss EPA staffing assignment for the residues review. EPA indicated they still do not have sufficient staff available to start the review of this 2011 WQS submittal.
- DEC permitting staff had an EPA meeting to discuss ZODs on 12/4.

Challenges:

- Requesting EPA action when they have set a low priority on this WQS review and approval.

Next Steps/Schedule:

- Wait for EPA will assign staff to this review-EPA is currently evaluating their own workload.

Decision Needed:

- EPA-internal - When to assign staff and start review
-

4. Evaluate options for revisions to Human Health Criteria (HHC): (Division and CO priority)

Lead: Sharon

Staff: Brock

Activity:

- DEC received Alaska-specific draft fish consumption research literature review
- EPA issued new fish consumption rates (22 g/d) and updated HHC national criteria
 - DEC plans to submit formal comments

Challenges:

- Developing strategy, schedule, and milestones when new criteria and methodology issues are raised in different venues (other states, ACWA, Region 10-specific)
- Implementation issues must be considered from the start.
- “Proceeding carefully”- not jumping on a particular approach until different options have been vetted.
- Ensuring Commissioner’s Office concerns are adequately addressed at each stage of the process.
- Thinking about Environmental Justice, Legality of implementation strategies, and how site specific information can be incorporated.

Next Steps/Schedule

- Submit comments to EPA-HQ on 2014 HHC by 8/13
- Continue to monitor other state efforts including litigation to force EPA to promulgate HHC criteria for Washington (ongoing) and Idaho
- Continue to work on initial steps in Alaska’s process
-

Decision Needed:

- DEC-internal
 - Various steps are in process...
-

5. Chuit River Basin Site Specific Criteria

Lead: Sharon/Nancy/Wade

Staff: Brock/Renee

Activity:

- DEC is working with contractor to review Tt supporting documents
- DEC is editing decision document with goal of submission to EPA for informal comments by 7/18

Challenges:

- Receiving the final report on mixed metals testing analysis in a timely manner so DEC can review and make a determination by 07/18
- Coordinating numerous internal and external participants in process: DEC mining permits, WQS staff, DEC management, EPA, other state agencies, and PacRim Coal, Tetra Tech (PacRim’s consultant)

Next Steps/Schedule:

- Incorporate additional supporting data requested from PacRim/TetraTech and continue to revise decision documents to address previous EPA comments
- Submit document to EPA by 7/18 for informal review

Decision Needed:

- DEC-internal: When to send to EPA for informal consideration?
-

6. Girdwood/Glacier Creek Site Specific Criteria

Lead: Brock/Nancy/Wade

Staff: Denise Elston/Mike Martz

Activity:

- Girdwood received additional information from Tetra Tech on loading analysis and GIS area of concern determination-provided DEC with a map of area of application but not any information on the area (sq. ft, river miles, gps)
- DEC provided specific comments to Gridwood on clarification issues that Girdwood has not addressed yet

Challenges:

- AWWU response to DEC request in a timely manner

Next Steps:

- Request EPA staff be assigned to project-send WER for preliminary review(?)
- DEC completion of draft decision document
- Establish “realistic” timeline based on AWWU/DEC/EPA feedback

Schedule: TBD

Decision Needed: DEC-EPA review schedule

7. Update to Standard Analytical Methods and Downstream Protection

Lead: Earl Crapps/Nancy Sonafrank

Staff Doug Kolwaite/Brock Tabor

Activity:

- DEC completing various regulation package documents
- Director requested consideration of non-regulatory options for downstream protection.

Challenges:

- Getting feedback from CO/EPA in a timely manner

Next Steps/Schedule:

- Additional briefing with Director in August
- Schedule briefing with CO on this issue
- Request EPA WQS staff assignment to review pre-public notice draft regulations (07/?)

Decision Needed:

- DEC-internal-when to send
 - EPA-internal-when to review
-

8. 2014-2016 Triennial Review**Lead: Michelle****Staff: Brock****Activity:**

- DEC awaiting direction from Governor's Office

Challenges:

- Determining what process will be used (with CO/Gov. Office)
- Determining which priority issues/topics the Standards section will work on

Next Steps/Schedule:

- Waiting for approval from Gov. Office to Public Notice

Decision Needed:

- DEC-internal

9. Other

EPA/DEC Quarterly Teleconference: Scheduled for 7/8 based on info from Bill/Angela. Brock to develop agenda (in progress)

Groundwater: Assigned Denise to create a fact sheet that outlines groundwater protection provided through the Clean Water Act and Water Quality Standards for the Drinking Water program.

Selenium: (Denise) EPA released new recommended criteria.

- DEC working on comment letter for submission to EPA-HQ by 7/13

Ammonia: (Denise) Briefing document started. Finished letter to EPA responding to their TR comments-sent 6/30

2012 RWQC: (Brock)

- Briefing document started. Finished letter to EPA responding to their TR comments-sent 6/30